

United States District Court
For The Northern District of Illinois

FILED

AUG 13 2008

Michael Jackson

Pro se Defendant

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

v.

case No. 07 CR-50058-1
Re: Affidavit in support of
Motion to withdraw Plea

United States of America

Respondent

I, Michael Jackson, deposes and sayeth that I am the Affiant - Pro se Defendant in the above entitled action and the information contained herein is true and correct and not misleading to the best of my knowledge, Avers that; under Rule 11(c) Pro-se Defendant Michael Jackson, unknowingly waived to collaterally attack my sentence on appeal, and I would like to withdraw that plea because I believe the court lacks Jurisdiction to impose any sentence.

1.) I have a slight difficulty in understanding and communicating the things my lawyer said to me regarding the Plea.

2.) my Attorney didn't intelligently inform me of all direct consequences of the plea, where I understood fully.

3.) I unknowingly sign the plea without having full knowledge that I also were waiving all my appeal rights, ~~and~~ I ~~was told~~ ^{was told} by my Attorney that I was only waiving my trial rights, had I known with full knowledge that I was waiving my appeal rights I would of never signed Plea.

4.) that the United States Government did not establish that the location where the offenses occurred came within Federal criminal Jurisdiction under the Assimilative Crimes Act, AS land Reserved or Acquired for use of the United States.

5.) that the United States Government Presented absolutely no evidence confirming they had exclusive or concurrent Jurisdiction over the locations where the offenses occurred in the State of Illinois, City of Rockford, County of Winnebago.

6.) that the United States Government Presented no evidence that the Legislature of the State of Illinois had ceded Jurisdiction of the locations where offenses occurred.

7.) that the record in case Number 07CR-50058-1 does not affirmatively and properly reflect that the United States Government satisfied exclusive Jurisdiction (via);

(1) Powers enumerated through the United State Constitution;

(2) Title 40 U.S.C.S 312 (Previously 265)

(3) Title 18 U.S.C. 7, Special Territorial and Maritime Jurisdiction as required by law.

8.) my signing of the Plea was involuntary due in part that my attorney never explained fully the commerce clause and how it relates to my case, All he was concerned with was getting me to sign the Plea. Had I known intelligently and been fully informed of congress's Intent regarding Interstate commerce I would of never signed the Plea

wherefore the reasons stated above I respectfully pray that this honorable court withdraw the plea that was unintelligently unknowingly and involuntarily signed as so described above.

Declaration under Penalty of Perjury

I, Michael Jackson, declare under Penalty of Perjury that I am the pro se Defendant in this matter, that I have read this motion (Affidavit and motion to withdraw plea) and that the information in the above motions is true and correct. See Title 28 U.S.C. 1746 and Title and Title U.S.C. 1621.

Affiant sayeth not

Michael Jackson